

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 12, 2006 PLANNING COMMISSION MEETING

**PROJECT #:** Community Center Special Permit No. 06019

**PROPOSAL:** Requested a special permit to construct and operate a Community Center

**LOCATION:** NW 84<sup>th</sup> and State Spur 55M (Malcolm Spur)

**LAND AREA:** 47.96 acres, more or less

**CONCLUSION:** This meets the zoning requirements and can be designed to fit.

<b><u>RECOMMENDATION:</u></b>	Conditional Approval
-------------------------------	----------------------

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 38 and 39 Irregular Tracts in the E ½ of Section 27, Township 11 North, Range 5 East of the 6th P.M., Lincoln, Lancaster County, Nebraska

**EXISTING ZONING:** AG Agriculture

**EXISTING LAND USE:** farmland and one house.

**SURROUNDING LAND USE AND ZONING:** Farmland, zoned AG Agriculture on all sides

**ASSOCIATED APPLICATIONS:** none

**HISTORY:** Changed from AA to AG in the 1979 zoning update.

**COMPREHENSIVE PLAN SPECIFICATIONS:** Shown as Agriculture on the Future Land Use Plan. This is in Tier III, outside the 2025 Future Service Limit.

**UTILITIES:** None available. This area is outside of the future urban service area shown in the Comprehensive Plan. Private well and wastewater are proposed.

**TOPOGRAPHY:** Drains to the south

**TRAFFIC ANALYSIS:** Hwy 34 is 1/4 mile south. This is on State Spur 55M. NW 84<sup>th</sup> is a gravel county road.

**PUBLIC SERVICE:** This area is served by the Norris Public School District, the Malcolm Rural Fire District, and is in the Norris Public Power service area. County Sheriff.

**REGIONAL ISSUES:** Entrance to the city. Development along Purple Heart Highway.

**ENVIRONMENTAL CONCERNS:** There are no Historic or Ecological resources identified on or near this site. The soil rating is 1.0. A rating of 1 to 4 is prime. This is prime agriculture soil. There is no floodplain at this location.

**AESTHETIC CONSIDERATIONS:** This site will be visible from Spur 55M and Hwy 34.

**ALTERNATIVE USES:** Farming and two dwellings.

**ANALYSIS:**

1. This special permit is for a Community Center on a 47.96 acre parcel. Private water and sewer would be used.
2. The center is proposed to consist of a 100 X 60' (6,000 sq ft) building for events of up to 200 persons. The building will not be used more than three times per week.
3. **27.63 690 Permitted Special Use: Community Halls; AG District.**  
In the AG Agriculture District, a special permit may be granted to allow a community hall, subject to the following conditions:
  - (a) Rides shall be limited to hayrack rides.
  - (b) There shall be adequate parking for vehicles compatible with the number of people using the facility.
  - (c) The site for the community hall shall be on the same premises as the main residence of the owner or operator of the hall.
  - (d) The use of the community hall will primarily be for one-day activities. It shall not be open for use more than three days per week.
  - (e) The community hall and any accessory building shown on the site plan shall not be relocated, altered, or enlarged unless approved by the City.

For the purposes of this section, community hall shall mean a building or premises open for rental and use by the public for recreational, social, and other special gatherings on an occasional basis.

4. Hours of operation and exterior lighting is not addressed in the application.
5. The City Engineer notes this will need to meet the parking lot and access Design Standards of the City.

6. Building and Safety notes the parking lot must provide for 120 vehicles. The parking must be outside of required yards and must meet City Design standards.
7. Health Department notes water and waste disposal will require review and approval. Food preparation on site will require a lagoon. Community water may require a compliance with the Nebraska Safe Water Act.
8. The County Engineer shall approve the 84<sup>th</sup> Street access point.

**CONDITIONS OF APPROVAL:**

1. Site Specific:

1. This approval permits a Community Center of 6,000 square feet of floor area.
2. This facility shall not be open to the public more than three days a week.
3. The hours of operation shall be limited to 7 am to 12 am.
4. No food or alcohol shall be prepared or sold on the premise, but may be catered in.
5. Any lighting for the parking lots and drives shall meet the design standards for parking lots of the City of Lincoln.
6. All parking for events shall be provided on the site, and shall meet City Standard design standard for parking lots. Parking shall provide 120 spaces and meet ADA requirements.

General:

2. Before receiving building permits-

- 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

- 2.1.1 A revised site plan including 5 copies showing the following revisions

- 2.1.1.1 Parking for 120 cars

- 2.1.1.2 All parking shall be located outside of the AG District required yards.

- 2.2 The construction plans comply with the approved plans.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
- 3.1 Before occupying this Community Center all development and construction is to comply with the approved plans.
  - 3.2 Before occupying this Community Center the City/County Health Department is to approve the water and waste water systems.
  - 3.3 All privately-owned improvements, including landscaping and parking, are to be permanently maintained by the owner.
  - 3.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 3.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 3.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

---

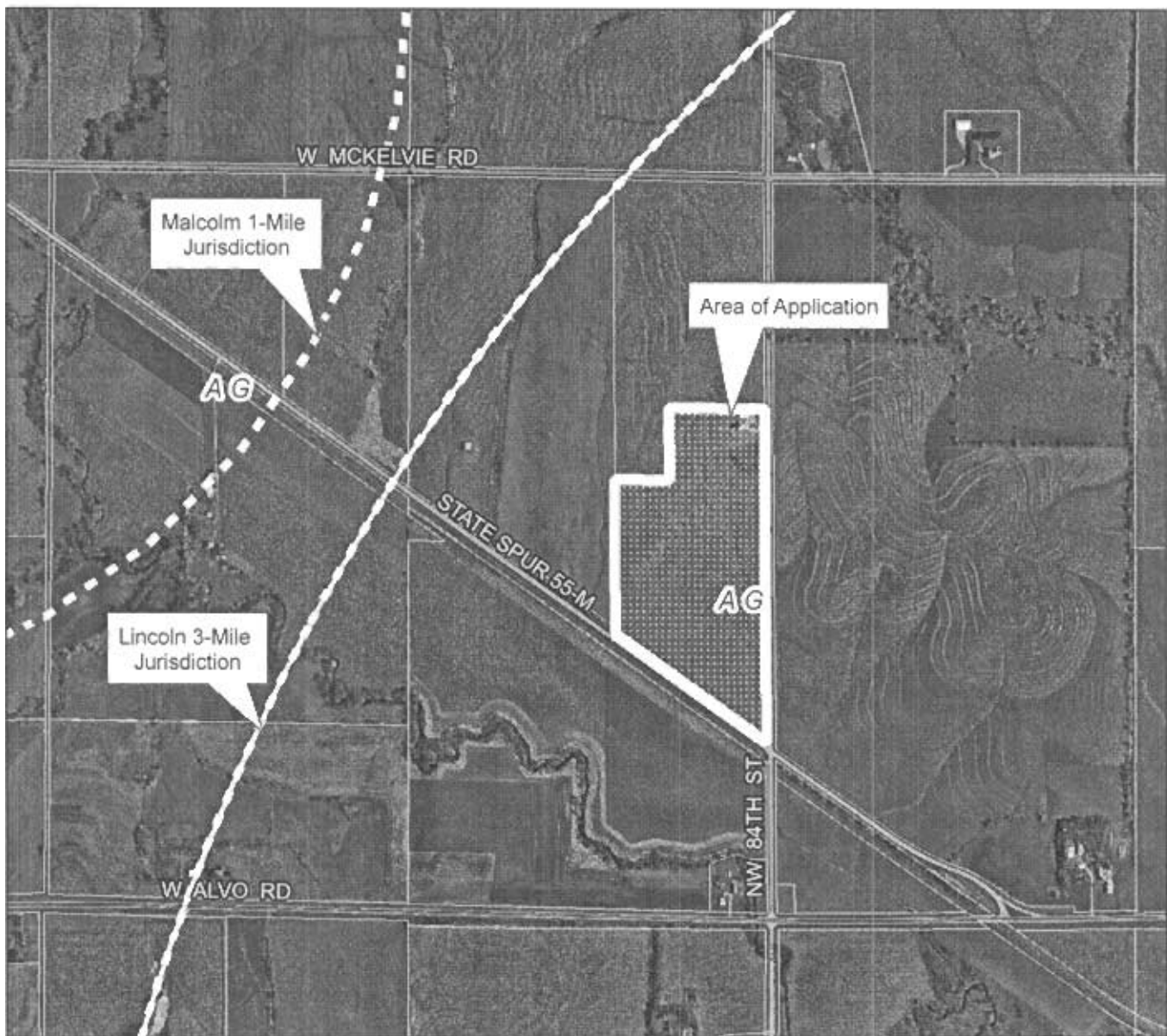
Planner Mike DeKalb, 441-6370, [mdekalb@lincoln.ne.gov](mailto:mdekalb@lincoln.ne.gov)  
March 28, 2006

**APPLICANT:** Larry (Luke) French  
8425 N.W. 84<sup>th</sup> Street  
Malcolm, NE 68402  
(402) 796-2693

**OWNER:** Larry (Luke) French  
8425 N.W. 84<sup>th</sup> Street  
Malcolm, NE 68402

**CONTACT:** Larry French  
(402) 796-2693  
Yogi2luke@aol.com

F:\FILES\PLANNING\PC\PERMITS\SP\06000\SP06019 community center NW 84th and Highway 55.mvd.wpd



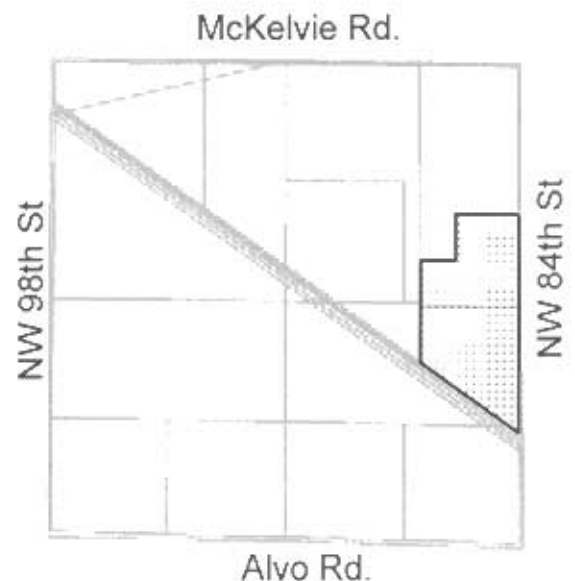
2005 aerial

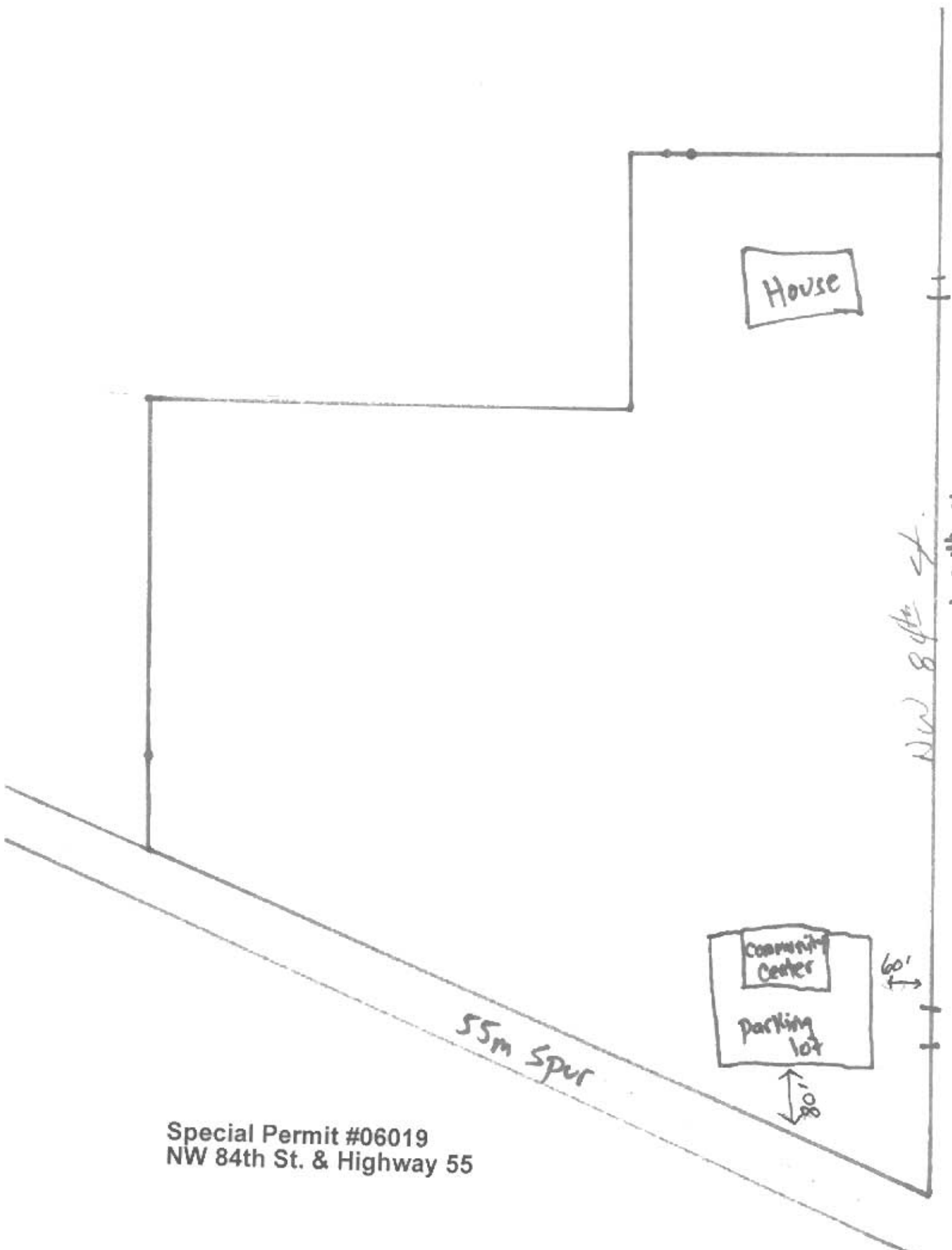
## Special Permit #06019 NW 84th St. & Highway 55

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 27 T11N R5E





Special Permit #06019  
NW 84th St. & Highway 55



This is an aerial photograph of a rural landscape. A road, labeled 'STATE STREET', runs diagonally from the bottom left towards the top right. To the right of the road, a property boundary is outlined in black. Inside this boundary, there is a building labeled 'House' and a smaller structure labeled 'Bldg'. A path or driveway, labeled 'Parking Access Drive', leads from the road towards the 'Bldg'. The terrain is mostly flat with some vegetation, and there are some small structures and a body of water visible in the lower left. A white text box is overlaid on the upper left portion of the map.

Special Permit #06019  
NW 84th St. & Highway 55

House

Bldg

Parking  
Access Drive

STATE STREET



To Whom It May Concern:

Here is information concerning the Community Center we would like to build on our property at 8425 NW 84, Malcolm, NE.68402

The capacity of the building will be 200 people

The building size will be 100 feet x 60 feet

Parking lot (paved) will be 176 feet x 235 feet- can be increased in size if needed

The building will be set back to comply with Ag. Zoning (Table 27.07.0890@)

The facility will not be used more than three times per week

**Special Permit #06019  
NW 84th St. & Highway 55**

$$\begin{array}{r} 176' \times 235' = 41,360 \text{ sq ft} \\ 100 \times 60 = 6,000 \text{ sq ft} \\ \hline 47,360 \text{ sq ft} \\ = \\ \frac{47,360}{43,560} = 1.08 \text{ Acres.} \end{array}$$

# Memorandum

---

**To:** Mike DeKalb, Planning Department  
**From:** Charles W. Baker, Public Works and Utilities  
**Subject:** Community Center, Northwest 84th and Highway 55 Special Permit #06019  
**Date:** March 15, 2006  
**cc:** Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the proposed Community Center at Northwest 84th and Highway 55 for Special Permit #06019. Public Works has the following comments:

- The proposed parking lot and access must meet City of Lincoln Design Standards since it is within the 3-mile jurisdiction.

Lancaster

County

Engineering

Department

**DON R. THOMAS - COUNTY ENGINEER**

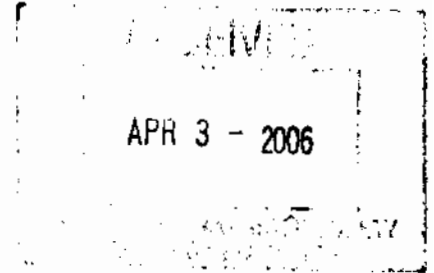
DEPUTY- **LARRY V. WORRELL**  
COUNTY SURVEYOR

**DATE:** March 31, 2006

**TO:** Mike DeKalb  
Planning

**FROM:** Larry V. Worrell  
County Surveyor

**SUBJECT:** Community Center NW. 84<sup>th</sup> Street & State Spur 55M  
SP06019-Revised

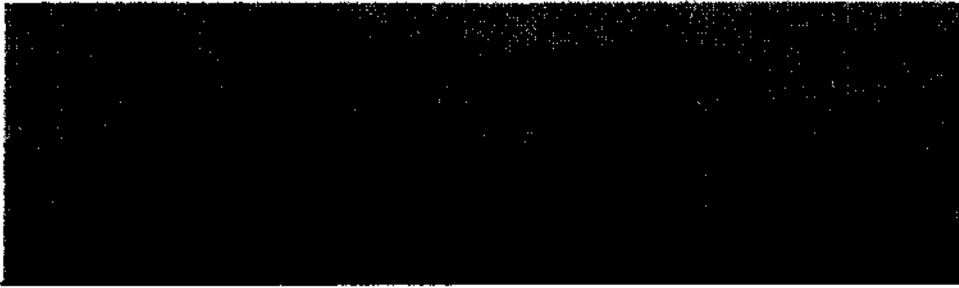


Upon review, this office has no direct objections, subject to the following:

- 1) Applicant shall not plant trees or shrubs within 60' feet of section line.
- 2) Provide detailed site plan showing location of building, parking lot, and access point before approval of Special Permit.
- 3) Applicant shall Improve N.W. 84<sup>th</sup> Street to Lancaster County standards with pavement or access to the state spur.

LVW/DP/pb

Phyllis/Special Permit/06019 Comm. Center NW 84<sup>th</sup> & Hwy 55



Status of Review: Active

Reviewed By

ANY

Comments:

---

Status of Review: No Rev Req

03/13/2006 2:24:20 PM

Reviewed By Building & Safety

BOB FIEDLER

Comments: out of city limits.

---

Status of Review: Denied

03/14/2006 1:24:58 PM

Reviewed By Building & Safety

Terry Kathe

Comments: Parking for 120 cars is required. The area shall be paved in accordance with design standards and must supply handicapped stalls per Nebraska Accessibility Guidelines. This parking lot must not be in the front yard or side yard setback.

---

Status of Review: Active

Reviewed By County Engineer

JIM LANGTRY

Comments:

---

---

Status of Review: Active

Reviewed By Lancaster County Sheriff Department

ANY

Comments:

---

Status of Review: Active

Reviewed By Nebraska Department of Roads

ANY

Comments:

---

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

---

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

---

Status of Review: Active

Reviewed By Planning Department

MIKE DEKALB

Comments:

---

Status of Review: Complete

03/15/2006 8:29:21 AM

Reviewed By Public Works - Development Services

SIETDQ

Comments: Memorandum□□  
□

To:□Mike DeKalb, Planning Department

From:□Charles W. Baker, Public Works and Utilities

Subject:□Community Center, Northwest 84th and Highway 55 Special Permit #06019

Date:□March 15, 2006

cc:□Randy Hoskins

□

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the proposed Community Center at Northwest 84th and Highway 55 for Special Permit #06019. Public Works has the following comments:

•□The proposed parking lot and access must meet City of Lincoln Design Standards since it is within the 3-mile jurisdiction.

---

Status of Review: Active

Reviewed By Rural Fire District

ANY

Comments:

---

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION

TO: Mike DeKalb DATE: March 23, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Community Center

EH Administration SP #06019

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the special permit application with the following noted:

□ Adequate area exists for the installation of an on-site wastewater treatment system. System type and sizing will be dependent on the projected demand and soil types. A non-standard system may be required.

□ Prior to construction of this facility, it will be necessary to provide the LLCHD with detailed information as to planned usage. Any sale of food products to the public must be reviewed by LLCHD to determine if additional permits are required. If food service permits are required, it will be necessary to install a lagoon as the on-site wastewater treatment system. The applicant should contact the Food Safety Program at 441-8033 for additional information.

□ A water well currently exists on the property. The applicant should review water quality and quantity information provided by the well driller to determine if the quantity and quality of the water is adequate for the proposed usage.

□ The usage of the facility as a community center may necessitate compliance with the Nebraska Safe Drinking Water Act. The applicant should contact Howard Isaacs at 471-0930 to determine if water monitoring compliance will be required.

□ All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

□ During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.